

REMARKS

The present application includes pending claims 1-68, all of which have been rejected. By this Amendment, claims 1, 13, 37, 45 and 57 have been amended.

Claims 1-7, 9, 12-19, 21, 24, 37-42, 44-51, 53, 56-63, 65 and 68 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 7,065,778 ("Lu"). Claims 8, 20, 43, 52 and 64 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of U.S. 7,084,994 ("Koppich"). Claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 and 67 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of U.S. 7,170,546 ("Pocock"). Claim 33 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Pocock and Koppich. The Applicants respectfully traverse these rejections for at least the reasons previously discussed during prosecution and the following:

I. Lu Does Not Anticipate Claims 1-7, 9, 12-19, 21, 24, 37-42, 44-51, 53, 56-63, 65 And 68

Lu "relates to the field of utilizing personalized video recorders and other similar types of devices to distribute television programming." *See* Lu at column 1, lines 7-11. In particular, Lu discloses a system in which a user is able to record a show that is transmitted in another broadcast area. *See id.* at Abstract.

For example, Lu describes the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders... situated within a broadcast region

of the requested television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders... to record the requested television show when it is broadcast by a television content provider.... Once the personalized video recorders... record the television show, one or more of the personalized video recorders may transmit it to EPG server computer 304 which then transmits it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video recorder 200 to order and receive specific television shows that are unavailable from its television content provider....

Lu at column 6, lines 39-61. Thus, Lu discloses a system in which a user sends a recording request that is received by a server computer via the Internet. The server computer then arbitrarily locates a recorder within the broadcast region of the show, and then sends the recorded show back to the requesting user.

Independent claim 1 recites, in part, “server software that maintains a user defined association of the first and second network addresses [with respect to first and second users, respectively, at first and second homes, respectively, wherein the second user is known to the first user], receives, via a communication network, a request that identifies one or more of the associated first or second network addresses, a user identifier, and authorization information, and responds by identifying the other of the associated first or second network addresses....” Independent claims 13, 37, 45 and 57 recite similar limitations. Lu does not describe, teach, or suggest such limitations. Instead, Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR. Thus, for at least these reasons, the Applicants respectfully submit that Lu does not anticipate claims 1, 13, 37, 45, 57 or the claims that depend therefrom.

II. The Proposed Combination Of Lu And Koppich Does Not Render Claims 8, 20, 43, 52 And 64 Unpatentable

The Applicants respectfully submit that the proposed combination of Lu and Koppich does not render claims 8, 20, 43, 52 and 64 unpatentable for at least the reasons discussed above.

III. The Proposed Combination Of Lu And Pocock Does Not Render Claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 And 67 Unpatentable

The Applicants next turn to the rejection of claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 and 67 as being unpatentable over Lu in view of Pocock. The Applicants respectfully submit that claims 10, 11, 22, 23, 54, 55, 66 and 67 should be in condition for allowance for at least the reasons discussed above.

Additionally, the Office Action acknowledges that “Lu does not specifically teach a telephone voice response system for receiving user input via a telephone network, and having an associated third network address, and server software that receives a request from the telephone voice response system.” *See* December 7, 2007 Office Action at page 16, September 26, 2007 Office Action at page 15, June 25, 2007 Office Action at page 15 and March 2, 2007 Office Action at page 14. To overcome these deficiencies, the Office Action cites Pocock. *See id.* at page 16.

Pocock discloses a “television system which is capable of concurrently distributing multiple video presentations having different video information content over a single television channel for receipt by different respective viewers.” *See* Pocock at column 1, lines 11-15. Pocock describes a system in which “[u]ser requested interactive instructions between a user at the terminal end and the presentation system are transmitted by an associated telephone line or other communication link.” *See id.* at Abstract. While Pocock discloses a system in which

instructions are transmitted over a telephone line or other communication link, Pocock does not describe, teach, or suggest “server software that receives **from the telephone voice response system a request**, and **responds by enabling the management of the associated set of options governing the consumption of media.**”

The Office Action cites Pocock at column 6, lines 19-37, and column 12, lines 26-31, as disclosing a telephone voice response system. *See* December 7, 2007 Office Action at page 16, September 26, 2007 Office Action at page 16, June 25, 2007 Office Action at page 15 and March 2, 2007 Office Action at page 14. Pocock at column 6, lines 19-37 states the following:

Referring now to FIG. 3, an overall system diagram of a television system combining broadcast and interactive television services is illustrated. When an interactive presentation is requested, according to the present invention, the viewer sends instructions to a presentation system 10 at a central location to identify one or more presentations that are desired to be viewed. These instructions are transmitted from the viewer's remote location to the central location by means of a wire, fiber optics, cellular, radio or other telephone network 12. For example, the instructions might be transmitted as touch tones which the user generates by depressing buttons of the keypad on his telephone set. More preferably, however, the instructions are generated within a user terminal 14 located at the viewer's home, and transmitted over the telephone network as DTMF or modem tones on an analog line, or data on a digital line such as the ISDN format. For ease of use, the terminal 14 is preferably controlled by means of a remote control unit 16, which transmits instructions to the terminal 14 via infrared signals.

This passage of Pocock merely describes that instructions may be transmitted over a telephone network. This passage does not describe, teach, or suggest, however, “server software that receives from the telephone voice response system a request, **and responds by enabling the management of the associated set of options governing the consumption of media.**”

Next, Pocock at column 12, lines 26-31, states the following:

The invention includes alternate methods for creating and modifying the carousel image assignment whereby users could utilize a telephone to access the DAS system or control computer and through the input of DTMF tones or voice prompts, recognizable to the system, create or make changes to a [sic] interactive image carousel.

While this passage of Pocock discloses that an interactive image carousel may be created or changed through input DTMF tones or voice prompts, it does not describe, teach, or suggest “server software that receives from the telephone voice response system a request, **and responds by enabling the management of the associated set of options governing the consumption of media.**” In particular, the creation or modification of an interactive image carousel through voice prompts is not the same as enabling the management of a set of options governing the consumption of media through a telephone voice response system request.

Claims 10 and 22 recite, in part, “server software that receives from the telephone voice response system a request that identifies one of the associated first, second, or third network addresses, a user identifier, and authorization information, and responds by identifying another of the associated first, second, or third network addresses, to support management of one of the associated first or second sets of options governing the consumption of media.” Neither Lu, nor Pocock, describe, teach, or suggest these limitations, as discussed above.

Further, the proposed combination of references also does not describe, teach, or suggest “server software that receives from the telephone voice response system a request, and responds by enabling the management of the associated set of options governing the consumption of media,” as recited in claims 25 and 27. Thus, for at least these reasons, the Applicants

respectfully submit that the proposed combination of references does not render claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 and 67 unpatentable.

Additionally, previous Office Actions cited Pocock at column 6, lines 43-46, as disclosing a telephone voice response system “having an associated third network address” as recited in claims 10 and 22. *See* September 26, 2007 Office Action at page 16 and June 25, 2007 Office Action at page 15. This portion of Pocock discloses the following:

For example, the identification might indicate the particular video presentation to which it pertains, or it may be an address identifying the viewer for whom it is intended. All of the selected video images are assembled into a video signal that is transmitted to the viewers.

Pocock at column 6, lines 43-46. This portion of Pocock discloses that a viewer may have an address to which an item is to be sent. It does not describe, teach, or suggest, however a “**telephone voice response system... having an associated third network address,**” as recited in claims 10 and 22, for example. Thus, for at least this additional reason, the Applicants respectfully submit that the proposed combination of references does not render claims 10, 11, 22, 23, 66 and 67 unpatentable.

The Office Action states the following:

[The Applicants argue that] Pocock does not teach “server software that receives from the telephone voice response system a request, and responds by **enabling the management of the associated set of options governing the consumption of media**”.... In response to applicant’s argument, it is the combination of Lu and Pocock that teaches the claimed invention, not Pocock alone. Lu as modified teaches a EPG server that enabling the management of the associated set of options governing the consumption of media.

See December 7, 2007 Office Action at page 4 (emphasis in original).

As noted above, however, the Office Action **specifically acknowledges** that “Lu does not specifically teach a telephone voice response system for receiving user input via a telephone network, and having an associated third network address, and server software that receives a request from the telephone voice response system.” *See* December 7, 2007 Office Action at page 16, September 26, 2007 Office Action at page 15, June 25, 2007 Office Action at page 15 and March 2, 2007 Office Action at page 14. In order to overcome these deficiencies, the Office Action cites Pocock. *See id.*

As detailed above, the Applicants have shown that Pocock also does not describe, teach or suggest the relevant limitations. Thus, if Lu does not describe, teach or suggest these limitations (as acknowledged by the Office Action), and Pocock also does not describe, teach or suggest these limitations, then the combination of the two references, by definition, also cannot describe, teach or suggest these limitations. Thus, the Applicants respectfully maintain that claims 10, 11, 22, 23, 25-32, 34-36, 54, 55 and 66-67 should be in condition for allowance.

IV. The Proposed Combination Of Lu, Pocock And Koppich Does Not Render Claim 33 Unpatentable

The Applicants respectfully submit that claim 33 should be in condition for allowance for at least the reasons discussed above.

V. Conclusion

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right

to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully request reconsideration of the claim rejections for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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